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DATE FILED: 1/27/2021

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
KEITH STANSELL ET AL.,

Plaintiffs,

-against-

**REVOLUTIONARY ARMED FORCES OF
COLOMBIA (FARC) ET AL.,**

Defendants.
----- X

16-MC-405 (ALC)

ORDER

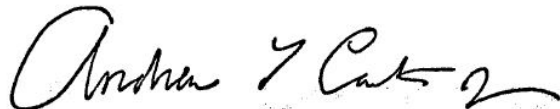
ANDREW L. CARTER, JR., District Judge:

On January 20, 2021, Sumitomo Mitsui Banking Corporation (“SMBC”) filed a third-party complaint seeking relief in the nature of interpleader. ECF No. 154. However, pursuant to Fed. R. Civ. P. 22, SMBC may not seek relief in the nature of interpleader by filing a third-party complaint. Fed. R. Civ. P. 22(a)(2) (“A defendant exposed to similar liability may seek interpleader through a crossclaim or counterclaim.”); *see also* Fed. R. Civ. P. 14(a)(1) (“A defending party may, as a third-party plaintiff, serve a summons and complaint on a nonparty who is or may be liable to it for all or part of the claim against it.”).

The Clerk of Court is directed to strike document 154 from the docket, but retain the summary docket text for the record. SMBC is directed to seek interpleader by asserting crossclaims or counterclaims in its answer to Plaintiffs’ writ of execution. *See* ECF 93.

SO ORDERED.

**Dated: January 27, 2021
New York, New York**



**ANDREW L. CARTER, JR.
United States District Judge**